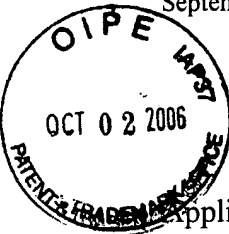


Handwritten initials



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Steven B. Landau, Cheryl L. Miller and Karl B. Thor

Application No.: 10/757,981 Group: 1614

Filed: January 13, 2004 Examiner: Michel Graffeo

Confirmation No.: 4256

For: METHOD OF TREATING NAUSEA, VOMITING, RETCHING OR ANY
COMBINATION THEREOF

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
<u>9-28-06</u> Date	<u><i>Amy Comeau</i></u> Signature
Amy T. Comeau Typed or printed name of person signing certificate	

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment for filing in the above-identified application.

[] Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.

[] A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

10/03/2006 HLE333 00000008 10757981

01 FC:1253

1020.00 DP

The claims fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL	13	MINUS *	70	0
INDEP	2	MINUS **	8	0
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

* not fewer than 20
** not fewer than 3

SMALL ENTITY			OTHER THAN SMALL ENTITY	
RATE	ADDIT. FEE	OR	RATE	ADDIT. FEE
X \$ 25	\$		X \$ 50	\$
X \$ 100	\$		X \$ 200	\$
+ \$ 180	\$		+ \$ 360	\$

TOTAL= \$ 0 TOTAL= \$ 0

The Application Size Fee has been calculated as shown below:
(Effective for cases filed on or after December 8, 2004)

Actual Sheets (Including current amendment)	Highest No. of Sheets Paid For (At least 100)	No. of Additional Units Required (Increments of 50 sheets)

SMALL ENTITY	
Rate	Total Amount Owed
X \$125	\$[]

OTHER THAN SMALL ENTITY	
Rate	Total Amount Owed
X \$250	\$[]

Payment Sufficient for up to
[] Sheets

Petition for Extension of Time

- [X] Applicant hereby petitions to extend the time to respond to the Office Action dated March 30, 2006 for three months from June 30, 2006 to September 30, 2006. The appropriate fee is set forth below.
- [] [For action-specific language in an extension of time, go to insert, file, public folders, firm templates, and select the appropriate paragraph.]

Please charge Deposit Account No. 08-0380 for the following fees:

<input type="checkbox"/>	Petition for [] month Extension of Time	\$	_____
<input type="checkbox"/>	Claims Fee	\$	_____
<input type="checkbox"/>	Application Size Fee	\$	_____
<input type="checkbox"/>	Other Fees:		
	_____	\$	_____
	_____	\$	_____
	TOTAL:	\$	<u>0</u>

A check is enclosed in payment of the following fees:

<input checked="" type="checkbox"/>	Petition for three months Extension of Time	\$	<u>1020</u>
<input type="checkbox"/>	Claims Fee	\$	_____
<input type="checkbox"/>	Application Size Fee	\$	_____
<input type="checkbox"/>	Other Fees:		
	_____	\$	_____
	_____	\$	_____
	TOTAL:	\$	<u>1020</u>

☒ Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Christine M. Wise
Christine M. Wise
Registration No.: 58,073
Telephone (978) 341-0036
Facsimile (978) 341-0136

Concord, Massachusetts 01742-9133

Dated:

September 28, 2006